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Intellectual Property Administration
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PATENT APPLICATION

ATTORNEY DOCKET NO. 10013342-1

9-15-03

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): MICHAEL L. BESSIRE

Confirmation No.:

Application No.: 09/989,652

Examiner:

Filing Date: 11/21/2001

Group Art Unit:

Title: A SYSTEM AND METHOD FOR ENSURING THE AVAILABILITY OF STORAGE SYSTEM

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SEP 09 2003

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Technology Center 2100

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

- ☒ under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of national application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:
☐ Statement under 37 CFR 1.97(e), or
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97 (b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97 (d) together with a:
☐ Statement under 37 CFR 1.97(e)(1) or (2), and
☐ a \$180.00 fee set forth in 37 CFR 1.17(p).
(Filed after final action, a notice of allowance, on or before payment of the issue fee)

Please charge to Deposit Account **08-2025** the sum of \$0.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **08-2025** pursuant to 37 CFR 1.25.

☒ Applicant(s) submit herewith Form PTO 1449 - Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

☐ A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56 (c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

It is requested that the information disclosed herein be made of record in this application.

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Date of Deposit

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

By

Typed Name:

Respectfully submitted,

MICHAEL L. BESSIRE

By

William T. Ellis

Attorney/Agent for Applicant(s)

Reg. No. 26,874

Date: 09/08/2003

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: September 8, 2003 Use as many sheets as necessary		Complete if Known	
Application Number		09/989,652	
Filing Date		11/21/2001	
First Name of Inventor		Michael L. BESSIRE	
Group Art Unit		Unassigned	
Examiner Name		Unassigned	
Attorney Docket Number		10013342-1	
Sheet	1	of	1

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	5,712,970		ARNOTT ET AL.	01/27/1998	RECEIVED SEP 09 2003 Technology Center 2100
	A2	5,790,775		MARKS ET AL.	08/04/1998	
	A3	6,009,535		HALLIGAN ET AL.	12/28/1999	
	A4	6,243,829	B1	CHAN	06/05/2001	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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INVESTOR IN PEOPLE

Application No: GB 0225570.1
Claims searched: 1-5

Examiner: Pierre Oliviere
Date of search: 18 June 2003

Patents Act 1977 : Search Report under Section 17

Documents considered to be relevant:

Category	Relevant to claims	Identity of document and passage or figure of particular relevance	
X	1 to 5	US 5790775 A	(MARKS) Figure 5 and columns 8 and 9
X	1 to 5	US 6009535 A	(HALLIGAN) Column 4, line 48 to column 5, line 5.
A		US 6243829 B1	(CHAN)
A		US 5712970 A	(ARNOTT)

Categories:

X	Document indicating lack of novelty or inventive step	A	Document indicating technological background and/or state of the art.
Y	Document indicating lack of inventive step if combined with one or more other documents of same category.	P	Document published on or after the declared priority date but before the filing date of this invention.
&	Member of the same patent family	E	Patent document published on or after, but with priority date earlier than, the filing date of this application.

Field of Search:

Search of GB, EP, WO & US patent documents classified in the following areas of the UKC^v:

G4A

Worldwide search of patent documents classified in the following areas of the IPC⁷:

G06F

The following online and other databases have been used in the preparation of this search report:

WPI, EPODOC, PAJ, INSPEC, Internet